

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

BALOG, INC.

PLAINTIFF

VERSUS

CIVIL ACTION NO.: 1:06cv586 LTS RHW

**UNITED STATES FIDELITY AND
GUARANTY COMPANY**

DEFENDANT

AGREED ORDER OF DISMISSAL

THIS DAY this cause came on for hearing on the joint motion, *ore tenus*, of the Plaintiff Balog, Inc., and Defendant United States Fidelity and Guaranty Company (hereinafter referred to as “USF&G”) to dismiss Plaintiff’s claim for loss of business income in the above action, and the parties having consented to the entry of this Order and agreeing that Plaintiff’s claim for loss of business income against USF&G should be dismissed with prejudice with the parties to bear their own costs, and the Court being fully advised of the premises, finds that the joint motion to dismiss Plaintiff’s claim for loss of business income against Defendant USF&G with prejudice is well taken and should be sustained.

IT IS, THEREFORE, HEREBY ORDERED AND ADJUDGED that Balog, Inc.’s claim for loss of business income against United States Fidelity and Guaranty Company is dismissed with prejudice with parties to bear their own costs.

SO ORDERED AND ADJUDGED, this the 19th day of January, 2007.

s/ L. T. Senter, Jr.

L. T. Senter, Jr.

Senior Judge

AGREED AND APPROVED BY:

/s/ Tim Matusheski (with express permission)

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